# BEFORE THE ARKANSAS SECURITIES COMMISSIONER CASE NO. S-15-0022

IN THE MATTER OF:

Order No. S-15-0022-15-OR01

RESTORATION ROBOTICS, INC

RESPONDENT

#### **CONSENT ORDER**

This Consent Order is entered pursuant to the Arkansas Securities Act, codified at Ark. Code Ann. §§ 23-42-101 through 23-42-509 ("Act"), the Rules of the Arkansas Securities Commissioner ("Rules") promulgated under the Act and the Arkansas Administrative Procedures Act, codified at Ark. Code Ann. §§ 25-15-201 through 25-15-219 in accordance with an agreement by and between the Staff of the Arkansas Securities Department ("Staff") and Restoration Robotics, Inc. ("Restoration Robotics") in full and final settlement of all claims that could be brought against Restoration Robotics, Inc. by the Staff on the basis of the facts set forth herein.

Restoration Robotics, Inc. admits the jurisdiction of the Act and the Arkansas Securities Commissioner ("Commissioner"), waives its right to a formal hearing, consents to the entry of this order, and agrees to abide by its terms. Restoration Robotics, Inc. also agrees that entry of this order has no impact on its potential civil liability to Arkansas investors under Ark. Code Ann. § 23-42-106 for the violations detailed below.

# **FINDINGS OF FACT**

- 1. On or about March 31, 2014, agents or employees of Restoration Robotics, Inc. made a sale of securities in an offering to an Arkansas resident.
- 2. On or about December 1, 2014, Restoration Robotics, Inc. filed a Notice of Sale of Securities on United States Securities and Exchange Commission ("SEC") Form D with the Arkansas Securities Department ("Department").

3. In violation of Ark. Code Ann. § 23-42-509(c)(1) and Rule 509.01(b)(2), Restoration Robotics, Inc. failed to file the Notice of Sale of Securities on SEC Form D with the Department concerning the sale of securities in Arkansas within the required fifteen days.

## **CONCLUSIONS OF LAW**

- 4. Restoration Robotics, Inc.'s filing of the Notice of Sale of Securities on SEC Form D with the Department approximately eight months after the sale of securities in the offering to an Arkansas resident as detailed in paragraphs 1-3 is a violation of Ark. Code Ann. § 23-42-509(c)(1) and Rule 509.01(b)(2).
- 5. Entry of this Order does not affect the potential civil liability of Restoration Robotics, Inc. under Ark. Code Ann. § 23-42-106 for Arkansas investors in the offering.

## <u>ORDER</u>

IT IS THEREFORE ORDERED that Restoration Robotics, Inc. pay a fine in the amount of \$500.00.

B. Edmand Waters
Arkansas Securities Commissioner

Date

Restoration Robotics, Inc.

Title:

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Kaycee Wolf Staff Attorney 3. In violation of Ark. Code Ann. § 23-42-509(c)(1) and Rule 509.01(b)(2), Restoration Robotics, Inc. failed to file the Notice of Sale of Securities on SEC Form D with the Department concerning the sale of securities in Arkansas within the required fifteen days.

#### **CONCLUSIONS OF LAW**

- 4. Restoration Robotics, Inc.'s filing of the Notice of Sale of Securities on SEC Form D with the Department approximately eight months after the sale of securities in the offering to an Arkansas resident as detailed in paragraphs 1-3 is a violation of Ark. Code Ann. § 23-42-509(c)(1) and Rule 509.01(b)(2).
- 5. Entry of this Order does not affect the potential civil liability of Restoration Robotics, Inc. under Ark. Code Ann. § 23-42-106 for Arkansas investors in the offering.

#### **ORDER**

IT IS THEREFORE ORDERED that Restoration Robotics, Inc. pay a fine in the amount of \$500.00.

B. Edmond Waters
Arkansas Securities Commissioner

Date

Restoration Robotics, Inc.

By: \_\_\_\_\_ Title:

Date:

Kaycee Wolf

Staff Attorney